

**Fire Safety Code Board
Of Appeal and Review
July 24, 2012**

The Rhode Island Fire Safety Code Board of Appeal and Review met at its headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday July 24, 2012. Present were Chairman Newbrook and Commissioners Dias, Pearson, Walker, Jasparro, Jackson, Sylvester, Burlingame, Blackburn and Richard. Vice Chairperson Filippi was absent. Also present were Executive Director Thomas B. Coffey, Jr. and Deputy Director Carol Marsella.

The following cases were heard:

APPEAL #120077: Ms. Elena Pagliarini Biondi, for the property located at 1136 Atwood Avenue in Johnston. ADSFM Richard Matarese appeared for the Johnston Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Commissioner Dias, to grant the Applicant time variances in which to correct the outstanding deficiencies in this facility of: one (1) week to remove the combustibles stored under the stairs, thirty (30) days to install the required portable fire extinguishers and a total of 180 days in which to have a compliant fire alarm installed in this facility. The Johnston Fire Marshal's Office may extend any of the above deadlines for good faith efforts being demonstrated by the Applicant. The motion passed with Commissioner Jackson abstaining from the vote.

APPEAL #050105A: MCS Enterprises, for the property located on Tift Road in North Smithfield. ADSFM Brian Gartland appeared for the North Smithfield Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Commissioner Walker, to grant the Applicant a time variance of 180 days in which to install lights and exit signs in the means of egress and to provide a proper remote second means of egress in the cited building. The Applicant will return on October 2, 2012 to be heard on the matter of the fire alarm systems and key access box for the two buildings in question. The motion passed over the opposition votes of Commissioners Blackburn, Burlingame and Richard.

APPEAL #120080: Ms. Debra McManus and Mr. Daniel Geer, for the property located at 260 Pound Hill Road in North Smithfield. ADSFM Brian Gartland appeared for the North Smithfield Fire Marshal's Office. Commissioner Dias made a motion, seconded by Commissioner Jackson, to grant the Applicant a variance to allow the large overhead door to remain open during hours of operation to provide a second means of egress for this facility. The Applicant is granted a time variance of 180 days in total in which to correct any outstanding deficiencies that remain, including but not limited to, the installation of a compliant fire alarm system, exit signs, emergency lighting and key access box. The motion passed over the opposition vote of Commissioner Burlingame.

APPEAL #110120A: Mr. Hampton Hodges, for the property located at 334 Knight Street in Warwick. ADSFM Peter Marietti appeared for the Warwick Fire Marshal's Office. Commissioner Dias made a motion, seconded by Commissioner Burlingame, to extend the variance that is in place for another year, to July 26, 2013, provided that the Warwick Fire Marshal's Office is notified whenever anyone enters the buildings in this complex. The motion was unanimous.

APPEAL #120074: Mr. John Pesce, for the property located at 31 Graystone Street, Warwick. ADSFM Peter Marietti appeared for the Warwick Fire Marshal's Office. Commissioner Sylvester made a motion, seconded by Commissioner Pearson, to grant the Applicant a total of 180 days to correct the outstanding deficiencies within this facility. The Warwick Fire Marshal's Office may extend that deadline for good faith efforts being demonstrated by the Applicant. The motion was unanimous.

APPEAL #090380: Avalon Nursing Home, for the property located at 57 Stokes Street, Warwick. DSFM Kaitlyn Foley appeared for the State Fire Marshal's Office. Commissioner Burlingame made a motion, seconded by Commissioner Pearson, to grant the Applicant's request for variances for this facility, based upon structural hardship and in the absence of an objection by the State Fire Marshal's Office. The motion was unanimous.

APPEAL #090398: Durfee Hardware, for the property located at 65

Rolfe Square, Cranston. Chief of Inspections Scott Caron appeared for the State Fire Marshal's Office. Commissioner Walker made a motion, seconded by Commissioner Sylvester, to grant the Applicant's request for a variance, based upon structural hardship and in the absence of an objection by the State Fire Marshal's Office. The motion was unanimous.

APPEAL #120073B: Ms. Kimberly Afonso, for the property located at 32 Dodge Street, Block Island. Chief of Inspections Scott Caron, Chief Deputy James Gumbley, Chief of Plan Review Wade Palazini and DSFM Eric Kiernan appeared for the State Fire Marshal's Office. Commissioner Walker made a motion, seconded by Commissioner Jasparro, to allow the Applicant to increase the occupancy of this facility by nine (9) rooms, and to leave the file open if additional relief is necessary. The motion passed over the opposition votes of Commissioners Pearson, Jackson and Burlingame.

Under old business, a letter was read into the record from Deputy Superintendent Brian Peterson, outlining the steps that were taken by DCYF to close the buildings at the former Training School for Boys in Cranston.

**Respectfully submitted
Carol Marsella**